



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ann M. Lees et al.
Serial No. : 09/976,740
Filed : October 12, 2001

Art Unit : 1653
Examiner : R. Mitra
Confirmation No.: 2462
Notice of Allowance Date: November 18, 2004

Title : NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND THEIR
USE IN DIAGNOSING AND TREATING ATHEROSCLEROSIS

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Examiner's allowance of claims 42-50, 67, 69-72, 74, 75, 80, 81 and 99-104 is appreciated.

Applicants recognize that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the present application, Applicants do not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable and does not make any admission or concession concerning the Examiner's statements on page 3 of the Notice of Allowability. For example, allowed claims 42 and 46 encompass nucleic acids encoding polypeptides having at least 80% sequence identity to the sequence of SEQ ID NO:7 or SEQ ID NO:43, respectively. The Examiner's comments referred only to a nucleic acid encoding a polypeptide as set forth in SEQ ID NOS:43, 7, 19, 20, 21, and 22. It is Applicants' understanding that the claims are allowable, at least in part, because the prior art of record does not teach or suggest an isolated nucleic acid encoding a polypeptide that binds to low density lipoprotein and has at least 80% sequence identity to the sequence of SEQ ID NO:7 or SEQ ID NO:43.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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Attorney's Docket No.: 10797-004002

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Attorney Docket No. 10797-004002.

Respectfully submitted,

Date: _____

January 21, 2005

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